

LAW OFFICES

STORINO, RAMELLO & DURKIN

9501 WEST DEVON AVENUE
ROSEMONT, ILLINOIS 60018

(847) 318-9500

FACSIMILE (847) 318-9509

May 15, 2018

DONALD J. STORINO
MICHAEL K. DURKIN
RICHARD J. RAMELLO
NICHOLAS S. PEPPERS
THOMAS M. BASTIAN
ANGELO F. DEL MARTO
JAMES E. MACHOLL
BRIAN W. BAUGH
ANTHONY J. CASALE
ANDREW Y. ACKER
PETER A. PACIONE
MELISSA M. WOLF
MATTHEW G. HOLMES
MICHAEL R. DURKIN
THOMAS J. HALLERAN

ERIN C. TINAGLIA
ADAM R. DURKIN

JOSEPH G. KUSPER
MARK R. STEPHENS
BRYAN J. BERRY
ANN M. WILLIAMS
LEONARD P. DIORIO
RICHARD F. PELLEGRINO
DONALD J. STORINO II
BRIAN R. KUSPER

OF COUNSEL

IN REPLY REFER TO FILE NO.

EP-1

Carmen Nervoso
2535 N. 73rd Avenue
Elmwood Park, Illinois 60707
Cvnervoso112772@gmail.com

Re: Freedom of Information Act Request

Dear Ms. Nervoso:

On May 8, 2018, the Village of Elmwood Park received your Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"Melina Garcia
May 2nd 2018 May 5th 2018
Police report of civil complaint"

Your request has been granted in part and denied in part. Enclosed are records responsive to your FOIA request. However, please be advised that certain information in the records being provided has been determined to be exempt from disclosure under FOIA, and that information has been redacted from the records being provided.

Section 7 (1) (b) of FOIA provides that "private information" is exempt from disclosure. "Private information" is defined in FOIA as, "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS 140/2(c-5). Consequently, certain unique identifiers such as driver's license numbers and home or personal telephone numbers have been redacted from the records being provided.

Section 7 (1) (c) of FOIA provides that, "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy ..." is exempt

STORINO, RAMELLO & DURKIN

Carmen Nervoso

May 15, 2018

Page 2

from disclosure. Consequently, birthdates, an individual's race, a minor's name and identifying information, a victim's name and identifying information, the names and identifying information of suspects who were never arrested, third party's name and identifying information, and other personal information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, have been redacted from the records being provided.

Section 7(1)(d)(iv) of FOIA provides that, "[r]ecords in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes" are exempt from disclosure, "but only to the extent that disclosure would: ... unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies." Consequently, information that would reveal the identity of persons who filed complaints with or provided information to the Village of Elmwood Park Police Department has been redacted from the records being provided.

The person responsible for the decision to deny a portion of your FOIA request is the Village of Elmwood Park Freedom of Information Officer, Gina Pesko. In accordance with Section 9(a) of FOIA, you are hereby notified that you have the right to file a Request for Review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer with the Public Access Counselor at the Illinois Attorney General's Office. You can file your Request for Review with the Public Access Counselor by writing to:

Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

If you choose to file a Request for Review with the Public Access Counselor, you must do so within 60 calendar days of the date of this letter. Please note that you must include a copy of your original FOIA request and this letter when filing a Request for Review with the Public Access Counselor.

You are also notified that you have the right to judicial review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer pursuant to Section 11 of FOIA.

Sincerely,

STORINO, RAMELLO & DURKIN
Attorneys for the Village of Elmwood Park


Peter A. Pacione

Enclosures

753643.1

Event Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
		TR	Time Received	05/05/18 06:28:47	By: E911		WS9912
		ENT	Entered Street	05/05/18 06:28:47	2526 N HARLEM AVE - 3NW;ELMP		WS9912
		CHG	Changed Street	05/05/18 06:29:12	2533 73RD AV --> 2535 73RD AV		WS9912
		CHG	Changed AddSt	05/05/18 06:29:21	DIST: DIST: 19.38 FT -->		WS9912
		ARM	Added Remarks	05/05/18 06:29:31			WS9912
		ENT	Entered Nature	05/05/18 06:29:33	LANDLORD TENANT DISPUTE		WS9912
		CHG	Changed CallerName_C	05/05/18 06:29:57	[REDACTED]		WS9912
		ARM	Added Remarks	05/05/18 06:30:33			WS9912
		FIN	Finished Call Taking	05/05/18 06:30:35			WS9912
		REC	Unit Rec Bin Click	05/05/18 06:31:10	Unit recommend for LANDLORD TENAN		WS9961
		REC	Unit Recommendation	05/05/18 06:31:14	Recomnd:32E [PAT]		WS9961
		REC	Unit Recommendation	05/05/18 06:31:14	Plan: EPPD Cat: 1P Lvl: 1		WS9961
		ARM	Added Remarks	05/05/18 07:16:35			Unit:32E

COMMUNICATIONS

Event Report

Event ID: 18-00067455 Call Ref #: 158 Date/Time Received: 05/04/18 23:21:08

Rpt #: Prime 31S Services Involved
 Call Source: PHONE Unit: LAPENNA, DANIEL

LAW				
-----	--	--	--	--

Location: 2535 73RD AV
 X-ST: ALTGELD Jur: CAD Service: LAW Agency: EPPD
 WRIGHTWOOD AV SI/Beat: E2 District: EPPD RA:
 Business: Phone: GP: E2

Nature: REMOVE UNWANTED Alarm Lvl: 1 Priority: P Medical Priority:

Reclassified Nature:

Caller: [REDACTED] Alarm:
 Addr: [REDACTED] Phone: [REDACTED] Alarm Type:

Vehicle #: St: Report Only: No Race: Sex: Age:

Call Taker: WS9951 Console: CAD08

Geo-Verified Addr.: Yes Nature Summary Code: Disposition: C Close Comments:

Notes: RO ADVISED LANDLORD THAT TENANT COULD NOT BE REMOVED DUE TO ILLINOIS LAW. SHE WAS ADVISED TO PURSUE AND EVICTION. NO REPORT. [05/04/18 23:50:47 Unit:31S]
 [REDACTED] TENANT STILL ON SCENE, WAS SUPPOSED TO GET 1 BAG & GO [05/04/18 23:22:29 WS9951]

Times

	Time From Call Received	Unit Reaction:
Call Received: 05/04/18 23:21:08		000:05:30 (1st Dispatch to 1st Arrive)
Call Routed: 05/04/18 23:22:48	000:01:40	En-Route: 000:00:52 (1st Dispatch to 1st En-Route)
Call Take Finished: 05/04/18 23:22:48	000:01:40	On-Scene: 000:17:54 (1st Arrive to Last Clear)
1st Dispatch: 05/04/18 23:27:30	000:06:22 (Time Held)	
1st En-Route: 05/04/18 23:28:22	000:07:14	
1st Arrive: 05/04/18 23:33:00	000:11:52 (Reaction Time)	
Last Clear: 05/04/18 23:50:54	000:29:46	

Radio Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
31S	EP6027	D	Dispatched	05/04/18 23:27:30	Stat/Beat: ES		WS9990
31S	EP6027	E	En-Route	05/04/18 23:28:22			WS9990
3101	EP7091	D	Dispatched	05/04/18 23:28:31	Stat/Beat: PSUP		WS9990
3101	EP7091	E	En-Route	05/04/18 23:28:31	Stat/Beat: PSUP		WS9990
3101	EP7091	A	Arrived	05/04/18 23:33:00			Unit:3101
31S	EP6027	A	Arrived	05/04/18 23:33:56			Unit:31S
3101	EP7091	C	Cleared	05/04/18 23:50:19		BU	Unit:3101
31S	EP6027	C	Cleared	05/04/18 23:50:54		C	Unit:31S

Event ID: 18-00067455

Call Ref #: 158

REMOVE UNWANTED at 2535 73RD AV

Event Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
		TR	Time Received	05/04/18 23:21:08	By: PHONE		WS9951
		DLS	Duplicate List	05/04/18 23:21:20	Potential Duplicate Events Listed (1		WS9951
		ENT	Entered Street	05/04/18 23:21:25	2535 73RD AV		WS9951
		ENT	Entered Nature	05/04/18 23:21:35	REMOVE UNWANTED		WS9951
		ARM	Added Remarks	05/04/18 23:22:29			WS9951
		ENT	Entered CallerPhone	05/04/18 23:22:34	[REDACTED]		WS9951
		ENT	Entered CallerName_Ca	05/04/18 23:22:43	[REDACTED]		WS9951
		ENT	Entered CallerAddress	05/04/18 23:22:48	LANDLORD		WS9951
		FIN	Finished Call Taking	05/04/18 23:22:48			WS9951
		VCH	Viewed Call History	05/04/18 23:22:57	Location Information		WS9972
		VCH	Viewed Call History	05/04/18 23:23:20	Location Information		WS9951
		VCH	Viewed Call History	05/04/18 23:23:29	Location Information		WS9993
		REC	Unit Rec Btn Click	05/04/18 23:27:26	Unit recommend for REMOVE UNWANT		WS9990
		REC	Unit Recommendation	05/04/18 23:27:30	Plan: EPPD Cat: 2P Lvl: 1		WS9990
		REC	Unit Recommendation	05/04/18 23:27:30	Recmnd:315 [PAT]		WS9990
		VCH	Viewed Call History	05/04/18 23:28:37	Location Information		WS9990
		VCH	Viewed Call History	05/04/18 23:29:03	Location Information		WS9951
		VCH	Viewed Call History	05/04/18 23:29:42	Location Information		WS9990
		ARM	Added Remarks	05/04/18 23:50:47			Unit:315

COMMUNICATIONS

Event Report

Event ID: 18-00066243 Call Ref #: 931 Date/Time Received: 05/02/18 21:39:05

Rpt #: Prime 33N Services Involved
 Call Source: E911 Unit: SCHAK, KENNETH LAW

Location: 2535 73RD AV BASEMENT APT
 X-ST: ALTGELD Jur: CAD Service: LAW Agency: EPPD
 WRIGHTWOOD AV S/Beat: E2 District: EPPD RA:
 Business: Phone: GP: E2

Nature: LANDLORD TENANT DISPUTE Alarm Lvl: 1 Priority: 1 Medical Priority:

Reclassified Nature:

Caller: Alarm:
 Addr: Phone: Alarm Type:

Vehicle #: St: Report Only: No Race: Sex: Age:

Call Taker: WS9965 Console: CAD07

Geo-Verified Addr.: Yes Nature Summary Code: Disposition: M Close Comments:

Notes: [REDACTED] was confused bc her peanut butter was not in the fridge, where she usually keeps it. she thinks landlord, [REDACTED] came into her unit and moved it. [REDACTED] said he has never been in her unit w/o permission. r/o's advised [REDACTED] to look into cameras for her unit. [05/02/18 22:04:10 Unit:33N] tenant calling saying landlord entered her apartment without permission on going issue parties are seperated now [05/02/18 21:40:09 WS9965]

Times

	Time From Call Received	
Call Received: 05/02/18 21:39:05		Unit Reaction: 000:01:57 (1st Dispatch to 1st Arrive)
Call Routed: 05/02/18 21:40:09	000:01:04	En-Route: 000:01:57 (1st Dispatch to 1st En-Route)
Call Take Finished: 05/02/18 21:40:24	000:01:19	On-Scene: 000:21:36 (1st Arrive to Last Clear)
1st Dispatch: 05/02/18 21:40:43	000:01:38 (Time Held)	
1st En-Route: 05/02/18 21:42:40	000:03:35	
1st Arrive: 05/02/18 21:42:40	000:03:36 (Reaction Time)	
Last Clear: 05/02/18 22:04:16	000:25:11	

Radio Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
33N	EP2963	D	Dispatched	05/02/18 21:40:43	Sta/Beat: EN		WS9942
33A	EP4970	D	Dispatched	05/02/18 21:40:43	Sta/Beat: EV		WS9942
33T	EP7483	D	Dispatched	05/02/18 21:41:04	Sta/Beat: ET		WS9942
33T	EP7483	A	Arrived	05/02/18 21:42:40			Unit:33T
33A	EP4970	A	Arrived	05/02/18 21:42:52			Unit:33A
33T	EP7483	C	Cleared	05/02/18 22:00:27		BU	Unit:33T
33A	EP4970	C	Cleared	05/02/18 22:01:42		BU	Unit:33A

33N EP2963 C Cleared 05/02/18 22:04:18 M Unit:33N

Event Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
		TR	Time Received	05/02/18 21:39:05	By: E911		WS9985
		ENT	Entered Street	05/02/18 21:39:05	2526 N HARLEM AVE - 3NW;ELMP		WS9985
		CHG	Changed Street	05/02/18 21:39:14	2526 N HARLEM AVE - 3NW;ELMP -->		WS9985
		ENT	Entered AddSt	05/02/18 21:39:34	BASEMENT APT		WS9985
		ENT	Entered Nature	05/02/18 21:39:36	LANDLORD TENANT DISPUTE		WS9985
		ARM	Added Remarks	05/02/18 21:40:09			WS9985
		FF	Fast Forward to LAW	05/02/18 21:40:09	LAW		WS9985
		REC	Unit Rec Btn Click	05/02/18 21:40:16	Unit recommend for LANDLORD TENAN		WS9942
		CHG	Changed CallerName_C	05/02/18 21:40:15	[REDACTED]		WS9985
		FIN	Finished Call Taking	05/02/18 21:40:24			WS9993
		REC	Unit Recommendation	05/02/18 21:40:43	Recmnd:33N [PAT]		WS9942
		REC	Unit Recommendation	05/02/18 21:40:43	Plan: EPPD Cat: 1P Lvl: 1		WS9942
		VCH	Viewed Call History	05/02/18 21:51:21	Location Information		WS9953
33N	EP2963	NCIC	QRY:Drivers	05/02/18 22:01:23	UNIT:33N OLN-[REDACTED]		Unit:33N
33N	EP2963	NCIC	QRY:Drivers	05/02/18 22:02:07	UNIT:33N OLN-[REDACTED]		Unit:33N
		ARM	Added Remarks	05/02/18 22:04:10			Unit:33N

COMMUNICATIONS

Event Report

Event ID: 18-00085880		Call Ref #: 382	Date/Time Received: 05/01/18 22:40:37	
Rpt #:	Prime 31E	Services Involved		
Call Source: PHONE	Unit: MESSINA, STEPHEN	LAW		
Location: 2535 73RD AV		BASEMENT		
X-ST: ALTGELD	Jur: CAD	Service: LAW	Agency: EPPD	
WRIGHTWOOD AV	St/Beat: E2	District: EPPD	RA:	
Business:	Phone:	GP: E2		
Nature: LANDLORD TENANT DISPUTE		Alarm Lvl: 1	Priority: 1	Medical Priority:
Reclassified Nature:				
Caller:		Alarm:		
Addr:	Phone:	Alarm Type:		
Vehicle #:	St:	Report Only: No	Race:	Sex: Age:
Call Taker: WS9922	Console: CAD05			
Geo-Verified Addr.: Yes	Nature Summary Code:	Disposition: C	Close Comments:	
Notes: R/O SPOKE WITH CALLER, [REDACTED] WHO BELIEVED SOMEONE OTHER THAN LANDLORD HAD KEY TO HER APARTMENT. R/O SPOKE WITH LANDLORD WHO AGREED TO CHANGE LOCKS PER TENANT REQUEST. R/O ADVISED BOTH PARTIES MATTER WAS CIVIL IN NATURE. NO REPORT. [05/01/18 23:10:18 Unit:31E] WILL MEET IN FRONT [05/01/18 22:42:52 WS9922] [REDACTED] LANDLORD RIGHT NOW ON THE SECOND FLOOR [05/01/18 22:42:14 WS9922] landlord going through belongings in apartment [05/01/18 22:41:06 WS9922]				

Times

	Time From Call Received	
Call Received: 05/01/18 22:40:37		
Call Routed: 05/01/18 22:41:06	000:00:29	Unit Reaction: 000:03:55 (1st Dispatch to 1st Arrive)
Call Take Finished: 05/01/18 22:42:51	000:02:14	En-Route: 000:00:28 (1st Dispatch to 1st En-Route)
1st Dispatch: 05/01/18 22:41:49	000:01:12 (Time Held)	On-Scene: 000:24:48 (1st Arrive to Last Clear)
1st En-Route: 05/01/18 22:42:17	000:01:40	
1st Arrive: 05/01/18 22:45:44	000:06:07 (Reaction Time)	
Last Clear: 05/01/18 23:10:32	000:29:55	

Radio Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
31E	EP9225	D	Dispatched	05/01/18 22:41:49	Stat/Beat: EV		WS9916
31E	EP9225	E	En-Route	05/01/18 22:42:17			WS9916
31T	EP4592	D	Dispatched	05/01/18 22:43:36	Stat/Beat: ET		WS9916
31T	EP4592	E	En-Route	05/01/18 22:43:36	Stat/Beat: ET		WS9916
31E	EP9225	A	Arrived	05/01/18 22:45:44			WS9916
31T	EP4592	A	Arrived	05/01/18 22:45:46			WS9916
31T	EP4592	C	Cleared	05/01/18 22:49:01		BU	Unit:31T

Event ID: 18-00065680 Call Ref #: 362 LANDLORD TENANT DISPUTE at 2535 73RD AV

31E EP0225 C Cleared 05/01/18 23:10:32 C Unit:31E

Event Log

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
		TR	Time Received	05/01/18 22:40:37	By: PHONE		WS9922
		ENT	Entered Street	05/01/18 22:40:48	2535 73RD AV		WS9922
		ENT	Entered Nature	05/01/18 22:40:54	LANDLORD TENANT DISPUTE		WS9922
		ARM	Added Remarks	05/01/18 22:41:06			WS9922
		FF	Fast Forward to LAW	05/01/18 22:41:06	LAW		WS9922
		REC	Unit Rec Btn Click	05/01/18 22:41:17	Unit recommend for LANDLORD TENAN		WS9916
		ENT	Entered AddSt	05/01/18 22:41:36	BASEMENT		WS9922
		REC	Unit Recommendation	05/01/18 22:41:49	Plan: EPPD Cat: 1P Lvl: 1		WS9916
		REC	Unit Recommendation	05/01/18 22:41:49	Recmnd:31E [PAT]		WS9916
		REC	Unit Recommendation [I	05/01/18 22:41:51	Plan: EPPD Cat: 1P Lvl: 1		WS9916
		REC	Unit Recommendation [I	05/01/18 22:41:51	Recmnd:31E [PAT]		WS9916
		ARM	Added Remarks	05/01/18 22:42:14			WS9922
		ENT	Entered CallerName_Ca	05/01/18 22:42:24	[REDACTED]		WS9922
		ENT	Entered CallerPhone	05/01/18 22:42:40	[REDACTED]		WS9922
		VCH	Viewed Call History	05/01/18 22:42:40	Location Information		WS9951
		FIN	Finished Call Taking	05/01/18 22:42:51			WS9951
		ARM	Added Remarks	05/01/18 22:42:52			WS9922
		ARM	Added Remarks	05/01/18 23:10:18			Unit:31E